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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

STEVEN WAYNE BONILLA,  
Plaintiff,  
v.  
EDMUND F. BRENNAN, et al.,  
Defendants.

No. 2:18-cv-2424 DB P

ORDER AND FINDINGS AND  
RECOMMENDATIONS

Plaintiff is a state prisoner proceeding pro se. Plaintiff seeks relief pursuant to 42 U.S.C. § 1983. This proceeding was referred to by this court by Local Rule 302 pursuant to 28 U.S.C. § 636(b)(1).

On October 26, 2018, having determined that plaintiff is a three strikes litigant within the meaning of 28 U.S.C. § 1915(g), the court found that plaintiff is precluded from proceeding in forma pauperis. (See ECF No. 4). As a result, it directed him to pay the filing fee within twenty-one days prior to continuing with these proceedings or risk dismissal of the action. See id. Twenty-one days have passed, and plaintiff has neither responded to the court’s order nor paid the filing fee.

Accordingly, IT IS HEREBY ORDERED that the Clerk of Court randomly appoint a United States District Court Judge to this matter.

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1 IT IS FURTHER RECOMMENDED that this action be dismissed without prejudice for  
2 failure to pay the filing fee as required in light of 28 U.S.C. § 1915(g).

3 These findings and recommendations are submitted to the United States District Judge  
4 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days  
5 after being served with these findings and recommendations, plaintiff may file written objections  
6 with the court. Such a document should be captioned "Objections to Magistrate Judge's Findings  
7 and Recommendations." Plaintiff is advised that failure to file objections within the specified  
8 time may waive the right to appeal the District Court's order. Martinez v. Ylst, 951 F.2d 1153  
9 (9th Cir. 1991).

10 Dated: November 15, 2018

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13 DEBORAH BARNES  
14 UNITED STATES MAGISTRATE JUDGE

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